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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
087734,429	11/22/96	HANSEN	C 43876-85

MCDERMOTT WILL AND EMERY
1850 K STREET NW
SUITE 450
WASHINGTON DC 20006-2296

B3M1/0911

EXAMINER

SHAH, A

ART UNIT PAPER NUMBER

2302

4

DATE MAILED: 09/11/97

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

08/754,429

11/22/96


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EXAMINER

09/11/97

ART UNIT

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DATE MAILED:

 This is a communication from the examiner in charge of your application.
 COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined. ☒ Responsive to communication filed on 11/22/96. ☐ This action is made final.

 A shortened statutory period for response to this action is set to expire three (3) month(s), _____ days from the date of this letter.
 Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133
Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 44-52 are pending in the application.
 Of the above, claims _____ are withdrawn from consideration.
2. ☒ Claims 1-43 and 53-70 have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 44-52 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with Informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☒ The ~~submitted~~ drawings have been received on 11/22/96. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☒ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ~~The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been approved by the examiner. ☐ disapproved by the examiner (see explanation).~~
11. ☐ The proposed drawing correction, filed on _____, has been ☐ approved. ☐ disapproved (see explanation).
12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received.
☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☒ ~~Other~~ See attached office action.

EXAMINER'S ACTION

Art Unit: 2302

15. Claims 44-52 are presented for examination.

16. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

17. Applicant is reminded of the provisions of MPEP 608-02(g) and (2) regarding a separate letter to the chief draftsman.

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Art Unit: 2302

20. Claims 44-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freerksen (USPN: 4,975,868).

21. Freerksen disclose a system for unified media processing comprising a plurality of general purpose media processors having a dynamically positioned execution unit and a high bandwidth interface coupled to external memory and input-output elements for receiving and transmitting data to the media processors, and a bi-directional communication fabric coupled to the media processors for transmitting and receiving at least one media stream comprising presentation, transmission, and storage media information [see abstract, column 1 (line 67) - column 2 (line 26), and column 2 (line 47) - column 6 (line 33)].

22. Freerksen did not explicitly give details about operating the media processors at substantially peak rate during the system operation. However, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Freerksen's system such that the media processors are operated at substantially peak rate during the system operation because it would have allowed the system to process the media information at much higher data rate based on the system requirements, thereby increasing the overall media information processing rate of the system and hence increase the overall performance of the system.

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23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nakagawa et al. (PN: 5,426,600).

Mason et al. (PN: 5,268,855).

Daniel et al. (PN: 5,201,056).

Alsup et al. (PN: 4,893,267).

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alpesh M. Shah whose telephone number is (703) 305-9698. The examiner can normally be reached on Monday-Friday from 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alyssa H. Bowles, can be reached on (703) 305-9702. The fax phone number for this Group is (703) 308-5358.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Alpesh M. Shah/skf
September 4, 1997

Alpesh M. Shah
ALPESH M. SHAH
PATENT EXAMINER
GROUP 2300